

FIRST PRINT

**MOTOR TRAFFIC (UNREGISTERED VEHICLES)
AMENDMENT BILL 1986**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The object of this Bill is to amend the Motor Traffic Act 1909 to make it clear that regulations may be made by the Governor-in-Council prescribing circumstances in which an unregistered motor vehicle may be driven on a public street and to delete certain obsolete provisions.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act will, with minor exceptions, commence on a day to be appointed by the Governor-in-Council.

Clause 3 is a formal provision that gives effect to the Schedule of amendments to the Principal Act.

Clause 4 provides for the repeal of section 31 (1) of the Greater Newcastle Act 1937 on the commencement of the proposed Act as that is an uncommenced subsection that repeals provisions of the Principal Act which will now be repealed by Schedule 1 (2) and (4).

Schedule 1 (1) deletes the exemption in the Principal Act which allows a person to drive an unregistered motor vehicle to the nearest district registry for registration as that exemption will be included in regulations made under section 3 (1) (11) of the Principal Act.

Schedule 1 (2) deletes an obsolete provision of the Principal Act.

Schedule 1 (3) re-enacts as a separate subsection an exemption which is deleted by Schedule 1 (1) with the exemption referred to above.

Schedule 1 (4) deletes an obsolete provision of the Principal Act.

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TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 5, 1909
4. Repeal certain provisions

SCHEDULE 1—AMENDMENTS TO THE MOTOR TRAFFIC ACT 1909

**MOTOR TRAFFIC (UNREGISTERED VEHICLES)
AMENDMENT BILL 1986**

NEW SOUTH WALES



No. , 1986

A BILL FOR

An Act to amend the Motor Traffic Act 1909 with respect to unregistered motor vehicles; and for other purposes.

Motor Traffic (Unregistered Vehicles) Amendment 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

5 Short title

1. This Act may be cited as the "Motor Traffic (Unregistered Vehicles) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this
10 Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 5, 1909

15 3. The Motor Traffic Act 1909 is amended in the manner set forth in Schedule 1.

Repeal of certain provisions

4. Section 31 (1) of the Greater Newcastle Act 1937 is repealed.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE MOTOR TRAFFIC ACT 1909

(1) Section 6 (1), first proviso—

Omit the proviso.

(2) Section 6 (1), second proviso—

25 Omit the proviso.

(3) Section 6 (1A)—

After section 6 (1), insert:

Motor Traffic (Unregistered Vehicles) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE MOTOR TRAFFIC ACT 1909—*continued*

(1A) A person shall not be liable for a breach of subsection (1)
(c) if the person proves to the satisfaction of the court hearing
the case that the breach was the result of an accident.

(4) Section 6 (2)—

5 Omit the subsection.

**MOTOR TRAFFIC (UNREGISTERED VEHICLES)
AMENDMENT ACT 1986 No. 3**

NEW SOUTH WALES



TABLE OF PROVISIONS

1. Short title
2. Commencement
3. Amendment of Act No. 5, 1909
4. Repeal certain provisions

SCHEDULE 1—AMENDMENTS TO THE MOTOR TRAFFIC ACT 1909

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**MOTOR TRAFFIC (UNREGISTERED VEHICLES) AMENDMENT
ACT 1986 No. 3**

NEW SOUTH WALES



Act No. 3, 1986

An Act to amend the Motor Traffic Act 1909 with respect to unregistered motor vehicles; and for other purposes. [Assented to 21 April 1986.]

Motor Traffic (Unregistered Vehicles) Amendment 1986

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same, as follows:

Short title

1. This Act may be cited as the "Motor Traffic (Unregistered Vehicles) Amendment Act 1986".

Commencement

2. (1) Sections 1 and 2 shall commence on the date of assent to this Act.

(2) Except as provided by subsection (1), this Act shall commence on such day as may be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 5, 1909

3. The Motor Traffic Act 1909 is amended in the manner set forth in Schedule 1.

Repeal of certain provisions

4. Section 31 (1) of the Greater Newcastle Act 1937 is repealed.

SCHEDULE 1

(Sec. 3)

AMENDMENTS TO THE MOTOR TRAFFIC ACT 1909

(1) Section 6 (1), first proviso—

Omit the proviso.

(2) Section 6 (1), second proviso—

Omit the proviso.

(3) Section 6 (1A)—

After section 6 (1), insert:

Motor Traffic (Unregistered Vehicles) Amendment 1986

SCHEDULE 1—*continued*

AMENDMENTS TO THE MOTOR TRAFFIC ACT 1909—*continued*

(1A) A person shall not be liable for a breach of subsection (1)
(c) if the person proves to the satisfaction of the court hearing
the case that the breach was the result of an accident.

(4) Section 6 (2)—

Omit the subsection.





